

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 135, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, line 6, delete "." and insert ", **if the entity is not a building**
- 2 **corporation or other entity that is related in any way to, or created**
- 3 **by, the school corporation or the governing body."**
- 4 Page 2, line 7, delete "(m)," and insert "(n)".
- 5 Page 2, line 9, after "corporation" insert "**or any other entity that**
- 6 **is related in any way to, or created by, the school corporation or**
- 7 **the governing body, including but not limited to a building**
- 8 **corporation,"**
- 9 Page 2, line 17, delete "Each" and insert "**Not later than August 1**
- 10 **each calendar year, each"**
- 11 Page 2, line 17, strike "whenever" and insert "if".
- 12 Page 3, line 3, after "department." strike "The" and insert "**Within**
- 13 **thirty (30) days after receiving a letter from a charter school, the"**
- 14 Page 3, line 4, after "and" insert ", **within thirty (30) days after**
- 15 **receiving notification from the department,"**
- 16 Page 3, line 17, after "(f)." insert "**If a school building is sold to a**
- 17 **charter school under this subsection, any profit to the charter**
- 18 **school or any entity related to the charter school, minus any costs**
- 19 **for improvements made by the charter school or any related entity,**
- 20 **from a subsequent sale or transfer of the school building to a third**
- 21 **party, shall be transferred from the charter school or the related**

entity to the school corporation that initially sold the vacant school building to the charter school."

Page 3, line 24, strike "If" and insert "Notwithstanding anything to the contrary in this section, and with the sole exception of a waiver provided in subsection (n), when".

Page 3, line 26, delete "for at least two (2) years," and insert ", the school building must remain designated as "Available" and may not be sold or otherwise disposed of for at least two (2) years. When the two (2) year period has elapsed,".

Page 3, delete lines 30 through 42, begin a new paragraph and insert:

"(k) Notwithstanding subsection (e), a governing body may request a waiver from the department from the requirements of subsection (e). In order for a governing body to receive a waiver under subsection (n), the governing body must apply to the department, on a form prescribed by the department, for the waiver. The application must include a statement that the governing body believes that a charter school would not be interested in leasing or purchasing the vacant or unused school building.

(l) If the department receives a waiver request under subsection (k), the department, within five (5) days after receiving the waiver request under subsection (k), shall notify each charter school sponsor and statewide organization representing charter schools in Indiana by certified mail of the waiver request received under subsection (k). The notice must include a copy of the governing body's waiver request.

(m) Not later than thirty (30) days after a charter school sponsor or statewide organization representing charter schools in Indiana receives a notice described in subsection (l), the charter school sponsor or a statewide organization representing charter schools may submit a qualified objection to the governing body's request for a waiver under subsection (k). The qualified objection must be submitted to the department in writing. In order for an objection to be considered a qualified objection by the department, the objection must include:

- (1) the name of the charter school that is interested in leasing or purchasing the vacant or unused school building; and
- (2) a time frame, which may not exceed one (1) year from the date of the objection, in which the charter school intends to begin providing classroom instruction in the vacant or unused school building."

- 1 Page 4, delete lines 1 through 20.
- 2 Page 4, line 21, delete "(m)" and insert "**(n)**".
- 3 Page 4, line 22, delete "(l)," and insert "**(m)**".
- 4 Page 4, delete lines 31 through 36.
- 5 Renumber all SECTIONS consecutively.
(Reference is to SB 135 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 12, Nays 0.

Senator Kruse, Chairperson